

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 848 - SB 951**

March 1, 2023

**SUMMARY OF BILL:** Adds additional criteria for a student in the third grade who is not proficient in English language arts (ELA) and has achieved certain performance level ratings on the ELA portion of the student's most recent Tennessee Comprehensive Assessment Program (TCAP) test to be promoted to the fourth grade. Authorizes a local education agency (LEA) or a public charter school to retain a student in any of the grades kindergarten through two (K-2) based on the student's grades and results on a universal reading screener. Requires the Department of Education (DOE) to provide LEAs with the individual student performance level ratings from the TCAP tests administered to the LEA's students no later than May 19 of each year. Adds to the list of intervention strategies that are provided to parents who have students in kindergarten through three (K-3) that are determined to have a significant reading deficiency.

**FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- The current third grade retention law takes effect at the end of the 2022-23 school year and requires a student in the third grade to not be promoted to the next grade level unless the student is determined to be proficient in ELA based on the student's achieving a performance level rating of "on track" or "mastered" on the ELA portion of the student's most recent TCAP test.
- The proposed legislation will allow a student who is not proficient in ELA, as determined by the student's achieving a performance level rating of "approaching" on the ELA portion of the student's most recent TCAP test to be promoted if the student:
  - Is determined to be proficient in at least two subjects based on the student's achieving a performance level rating of "on track" or "mastered" on at least two portions of the student's most recent TCAP test and is assigned a tutor through the Tennessee Accelerating Literacy and Learning Corps to provide the student with tutoring services for ELA for the entirety of the upcoming school year;
  - Scores in the 40th percentile or better on the student's most recent Tennessee universal reading screener; or
  - Scores in the 40th percentile or better on the ELA portion of a standardized reading assessment administered to the student by the LEA; and

- The student's principal, classroom teacher, and parent or guardian agree that other evaluations of the student's skill in reading demonstrate that the student is academically prepared for the next grade level.
- The proposed legislation will allow a student who is not proficient in ELA, as determined by the student's achieving a performance level rating of “below” on the ELA portion of the student's most recent TCAP test may be promoted if the student:
  - Scores in the 40th percentile or better on the student's most recent Tennessee universal reading screener or state-board-approved universal reading screener; or
  - Scores in the 40th percentile or better on the ELA portion of a standardized reading assessment administered to the student by the LEA; and
  - The student's principal, classroom teacher, and parent or guardian agree that other evaluations of the student's skill in reading demonstrate that the student is academically prepared for the next grade level.
- DOE will be required to update retention guidance documents and communicate with districts on the changes to retention law.
- LEAs, public charter schools, State Board of Education, and DOE will be able to comply with the proposed legislation within existing resources. Any fiscal impact is estimated to be not significant.

## **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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